SUPPLEMENT
TO THE
North-China Herald.

SATURDAY, DECEMBER 1st, 1866.

door when he fired. I heard words pass between them before the shot was fired. I was in the house, on the door steps. I saw the pistol in the prisoner's hand. I had a light in my hand. There was no struggle before the shot was fired. It was fired in a private street—a little alley. I saw no one else in the alley. I know this man because he messed a short distance from where I stay. My husband belongs to the *Confucius* and has gone away. Neither were drunk. Serapeo had no weapons.

To Prisoner.—There was, besides my husband and myself, Tablo and a lame man in the house when the pistol was fired. I was at the door when it was fired. I saw it in your hand. It was a percussion cap pistol. This is not what I was told by my husband. It is true.

George Skinner, Police Constable.—I arrested prisoner. I was on duty when a Malay man came to me saying there was a man shot. I went with him. When I got to the spot I saw a man leaning against the wall. I asked who had done it. There were several people. That woman for one. I was told Serapeo had done it. I did not know the man from the name given. He had gone off, I was told, to his ship. I saw him going towards the Soochow Bridge, and took him in charge, he seemed surprised. There was no blood on his clothes nor was there a pistol about him. He asked me what I was taking him up for. He has not been brought up on any other charge since I have been in the force. The wound was on the side of the head, about an inch and a half long. His collar was covered with blood. He was taken to the hospital.

To Court—He denied having shot the man. The wounded man recognized him as having fired the pistol at the Police Station. Others did so too. I do not know how I can find the Malay who first called me, again. I don't think I could identify him even. It was a very dark night.

Alfred Stripling.—I am Inspector of Police. On the night of the 7th November I took the charge against the prisoner. The man was shot and several other persons recognized the prisoner, and deposed to his having fired the shot. The prosecutor has never been warned to come here. He has gone to Japan; so has Tablo. I did not know they were going. I know of no other witnesses that we can bring now, excepting those that have been examined here to-day. The wounded man seemed cheerful enough. He was never in hospital. I sent him to the doctor. I saw him next day walking about. The prisoner has made no admission of guilt, no pistol has been found. There are no marks of a pistol ball anywhere about where the shot was fired. There was a policeman about 200 yards off when the shot was fired. He did not hear it.

To Court.—The man has not been arrested before. There was some trifling quarrel previously between the prisoner and the prosecutor.

The Prisoner.—I was in Messrs. Dent and Co.'s when this happened. I lived with Pepe in Hong-Que when this happened. He rented the house and I lived along with him. Pepe's wife lived in the house. I have no wife.

The Taotai.—Though the prosecutor and several important witnesses are absent I feel convinced that the prisoner Francisco Hernandez committed the act charged against him. The difference that appears to have existed between the prosecutor and himself was of far too trifling a kind to have rendered it likely he should bring this charge falsely. Nor have the witnesses any motive for giving their evidence falsely.

A sentence of three months' imprisonment and deportation at the expiration of it was passed.

The U.S. Consul remarked that it would be desirable if Mr. Penfold could devise some means by which, if possible, witnesses should be detained to enable more complete evidence to be adduced for the future, in cases of this nature. H.B.M. Consul endorsed this opinion and added that he felt sure so able an officer as Mr. Penfold would be able to devise some way of attaining the object. Mr. Penfold seemed to be of opinion that the only way of keeping such witnesses would be to lock them up.

Before—Chaloner Alabaster, Esq., Dr. Jenkins and Hsu Haefung.

Hoo Shung Chang v Koo Chun Chy.

Hoo Shung Chang alleged that Koo Chung Chy owed him Tls. 990 for the rent of certain pieces of land, some of which were sublet. It appeared that the defendant had a lease that had four years to run and that the property was greatly depreciated.

Dr. Jenkins suggested as a compromise that the defendant pay Tls. 1,000 and that the plaintiff take back the lease and give a discharge for the amount claimed. If no arrangement could be come to, the case must go before the District Magistrate.

The case was adjourned.

T. M. Nixon v Shin-Soh-Kiung.

This was a claim for the balance of Tls. 6,185 due from the defendant to the plaintiff.

The defence was worse than useless. Shin-Sho-Kiung now stating that he had paid a different person to those he had on former occasions declared he had paid.

Judgment for the plaintiff with costs.

Messrs. Bradwell Bloor & Co. v Cheu-kee.

In this case the plaintiffs claimed under a contract which they put in evidence.

The defendant pleaded a counter claim, but subsequently offered Tls. 200 to compromise the matter, alleging that he was unable to carry out his contract for want of money.

The Court recommended the plaintiffs to apply for an adjournment and then settle the matter out of Court.

The adjourment was applied for and granted.

The following cases were settled out of Court. Messrs. Oxford & Co., v. Chang Sung-kee, and Messrs. Gibb Livingston & Co., v. Kin-kee.

The following cases were adjourned.

Messrs. T. Hagemeyer & Co.; v. Chen-hei-yue Municipal Council v. Kofod; and Municipal, Council v. Tallee.

MISCELLANEOUS.

By Royal Command

STEEL PEN MAKER TO THE QUEEN.

JOSEPH GILLOTT,

VICTORIA WORKS, BIRMINGHAM.

RESPECTFULLY directs the attention of the Commercial Public, and of all who use Steel Pens, to the incomparable Excellence of his Productions, which, for Quality of Material, Easy Action, and Great Durability, will Insure Universal Preference.

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Jos. Gillott

They can be obtained Retail of every Dealer in the World; wholesale at the Works, Graham Street, Birmingham; and at the Branch Establishments, 91, John Street, New York; and 37, Gracechurch Street, London. [23no 1511—67

PICKLES, SAUCES, JAMS, &C.,

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CROSSE & BLACKWELL,

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Renowned first-class Manufactures are obtainable from every respectable Provision Dealer in the World.

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HER MAJESTY'S TABLE.

C. & B. are Agents for Lea & Perrins' Celebrated Worcestershire Sauce, and are Manufacturers of every description of Oilmen's Stores of the highest quality.

705 21ap April 21st, 1866.

TO IMPORTERS.

THE undersigned beg to remind Importers of Wearing Apparel, and Boots and Shoes, of the many advantages which their long experience as Manufacturers and Shippers, their vast resources, and their intimate knowledge of the requirements of Foreign and Colonial Markets enable them to offer.

Assorted Sample Cases forwarded on receipt of remittance or order on London Agent.

E. MOSES & SON,

Corner of Minories and Aldgate, London.

26ja 1291 3rd November, 1866.

THOMAS HUME,
PUBLIC ACCOUNTANT,
REAL ESTATE
AND
GENERAL COMMISSION AGENT.
YOKOHAMA.
tf 713 May 10th, 1866.

HALL & HOLTZ,
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SHANGHAE.
tf 1113 Shanghai, 13th Oct., 1866.

JOYCE'S AMMUNITION.

ESTABLISHED 1820.

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Treble Waterproof Central Fire Percussion Caps.

Chemically-prepared Cloth Felt and Paper Waddings, Cartridge Cases for Breech-loading Guns, and Wire Cartridges for Killing Game at long distances.

FREDERICK JOYCE & CO.,

Patentees and Manufacturers,

57, Upper Thames Street, London, E.C., Contractors to Her Majesty's War Department. Wholesale only.

o-a-f 440 11au 11th August, 1866.

SHIPPING INTELLIGENCE.

ARRIVALS.

Date.	Ship's Name.	Flag & Rig.	Tons	Captain.	From	Sailed	Cargo.	Consignees.
Nov. 24	Prince Kung	Br str	135	Brown	Fuchau v. Ningpo	Nov. 18	General	Trautmann and Co
... 24	City of Nantes	Br str	345	Mooney	Nagasaki	... —	do	J. H. Wright
... 24	Crawshay Bailey	Br sh	682	Hammonberg	Newport	June 27	Coals	Jardine, Matheson and Co
... 24	Express	Br str	290	Whitelaw	Ningpo	Nov. 23	General	David Sassoon, Sons and Co
... 24	Eunice Nicholas	Br sh	1069	Barry	Fuchau	Oct. 25	Poles	Master
... 24	Carl	Dan sch	114	Wildebraud	Amoor	Nov. 1	Firewood	Telge, Nölting and Co
... 25	Fusi-Yama	Br str	1200	Hardie	Hankow	... 22	General	Dent and Co
... 25	Fire Queen	Am str	1133	Gray	Hankow	... 22	do	Russell and Co
... 25	Mirella	Br sh	721	Bruce	Fuchau	... 26	Poles, etc.	A. R. Tilby and Co
... 25	Fusi-Yama	Br str	710	Callaghan	Fuchau v. Ningpo	... 13	General	Chapman, King and Co
... 25	Johann Christopher	Ham bg	292		Hamburg	June 1	do	Siemssen and Co
... 25	Primauguet	H.I.M. cv.		Bochet	Corea			
... 25	Deroulede	H.I.M. G.B		Ritchy	Corea			
... 25	Tardiff	H.I.M.		Cheneire	Corea			
... 25	Le Brethon	H.I.M. G.B		De Cintre	Corea			
... 26	Kiangse	Am str	574	Law	Ningpo	Nov. 25	do	Russell and Co
... 27	Express	Br str	290	Whitelaw	Ningpo	... 26	do	David Sassoon, Sons and Co
... 27	Aden	Br str	507	Andrews	Hongkong	... 22	do	P. & O. Co.
... 27	Solide	Dut bg	227	Breems	Ningpo	... 23	Ballast	T. Kroes and Co
... 28	Kiangse	Am str	574	Law	Ningpo	... 27	do	Russell and Co
... 28	Indore	Br str	677	Ballard	Hongkong	... 22	do	Russell and Co
... 29	Nanzing	Br str	419	Tulloh	Tientsin	... 24	do	Trautmann and Co
... 29	Express	Br str	290	Whitelaw	Ningpo	... 28	do	Russell and Co
... 29	Kiang-loong	Am str	945	West	Hankow	... 25	do	Augustine Heard and Co
... 29	Shanse	Am str	561	Frand	Hankow	... 25	do	Russell and Co
... 29	Edith Haviland	Br bg	263	Carpenter	Sydney	Sept. 26	Coals	Frazar and Co
... 29	Dunkeld	Br sh	700	Toms	Fuchau	Nov. 17	Poles	Master
... 30	Kiangse	Am str	574	Law	Ningpo	... 29	General	Russell and Co
... 30	Rona	Br str	784	Morrison	Hongkong	... 22	do	Jardine, Matheson and Co

DEPARTURES.

FROM THE ANCHORAGE.

Date.	Ship's Name.	Flag & Rig.	Tons	Captain.	Destination.	Cargo.	Dispatched by.
Nov. 24	Glengyle	Br str	1260	Hooper	Chefoo & Taku	Tea, etc.	Jardine, Matheson and Co
... 24	Fei-loong	Br str	565	Pritchard	Nagasaki	Cotton, etc.	T. Kroes and Co
... 25	Dupleix	Fr str	871	Noël	Hongkong	Tea, etc.	Messageries Imperiales
... 25	Plymouth Rock	Am str	2397	Simmons	Hankow & Ports		Russell and Co
... 25	Singapore	Br str	781	Wilkinson	Hongkong	Tea, etc.	P. & O. Co.
... 25	Prince of Satzuma	Br bg	235	Irribarreu	Nagasaki	Cotton, etc.	Glover and Co
... 25	Eliza Mary	Br sch	126	Hoole	Nagasaki	do	Glover and Co
... 25	Express	Br str	290	Whitelaw	Ningpo	Opium, etc.	David Sassoon, Sons and Co
... 26	Ontario	Br sh	1062	Watson	Callao	Ballast	Gibb, Livingston and Co
... 26	Taewan	Br baq	260	Moore	Fuchau	Cotton, etc.	Frazar and Co
... 26	Maria	Br str	258	Newman	Fuchau	Sundries & Re-exports	Lane, Crawford and Co
... 26	Prince Kung	Br str	135	Brown	Fuchau	Sundries	Trautmann and Co
... 26	Kiangse	Am str	574	Law	Ningpo	Opium, etc,	Russell and Co
... 27	Eulalia	Spa baq	482	Aldamis	Amoy & Manila	General	Phillips, Moore and Co
... 27	Civiale	Ham baq	432	Von Holdt	Fuchau	do	Frazar and Co
... 27	Express	Br str	290	Whitelaw	Ningpo	Sundries & Re-exports	David Sassoon, Sons and Co
... 27	Labourdonnais	Fr str	872	Rigodit	Singapore, Galle, &c.	Silk, etc.	Messageries Imperiales
... 28	Cissy	Br sh	639	Spencer	London	Tea, etc.	Smith, Kennedy and Co
... 28	Cadiz	Br str	481	Davis	Hongkong	Sundries & Re-exports	P. & O. Co.
... 28	Hoang Ho	Br baq	481	Wood	Fuchau	Ballast	Reid and Co
... 28	City of Nantes	Br str	345	Mooney	Nagasaki	Cotton, etc.	J. H. Wright
... 28	Kiangse	Am str	574	Law	Ningpo	Re-exports.	Russell and Co.
... 28	Fire Queen	Am str	1123	Gray	Hankow & Ports		Russell and Co
... 29	Fusi-Yama	Br str	1200	Hardie	Hankow & Ports		Dent and Co
... 29	Express	Br str	290	Whitelaw	Ningpo	Sundries & Re-exports	David Sassoon, Sons and Co
... 30	Ganges	Br str	742	Bernard	Yokohama	Cotton, sun., &c.	P. & O. Co
... 30	Shooey-leen	Br str	492	Stewart	Yokohama	do	Smith, Kennedy and Co
... 30	Kate Carnie	Br sh	549	Kenridge	Fuchau	Ballast	Gilman and Co
... 30	Kiangse	Am str	574	Law	Ningpo	Opium, etc.	Russell and Co
... 30	Fromm	Ham sch	216	Lutzen	Manila	Sundries & Re-exports	Bourjau, Hübener and Co

MERCHANT STEAMERS.

No.&Sec.	Ship's Name	Commander	Flag & Rig	Tonnage	Date of Arrival	Where from	Consignees or Agents	Destination	Remarks
P & O M	Aden	Andrews	Br str	507	Nov 27	Hongkong	P. & O. Co	H'kong with Mails	9th instant
Tónkadoo	Anna		Am str	70	Apr 12	Chinkiang	H. Fogg and Co		Laid up
4 s	Faust		— str	30					Laid up
6 s	Fee-loong	Williams	Chi str		Oct 6	Nanking	Chinese Government		Laid up
3 p	Fusi-Yama	Callaghan	Br str	710	Nov 25	Fuchau v. Ningpo	Chapman, King and Co	Fuchau	To-day
4 s	Grete	Godow	Prus str	30	Jan 13		Wm. Pustau and Co		Laid up
4 s	Heachew	Comstock	Am str	30		Sedong	T. J. Falls		
6 p	Hongkong	Hallette	Am str	209	July 29	Saddles	Jenkins and Co		
	Indore	Ballard	Br str	677	Nov 28	Hongkong	Russell and Co	Nagasaki	4th instant
6 s	Island Queen	Shaw	Br str	120	Nov 18	Fuchau v. Ningpo	F. R. Gamwell		
	Kiang-loong	West	Am str	945	Nov 29	Hankow	Augustine Heard and Co	Hankow & Ports	2nd instant
5 p	Louisa		Chi str		July 12	Ningpo	David Sassoon, Sons & Co.		
	Nanzing	Tulloh	Br str	419	Nov 29	Tientsin	Trautmann and Co	Taku	To-day
6 s	Pluto	Pike	Chi str	170	Nov 16		Chinese Government		Laid up
7 p	Qui-Quata	Chingjay	Chi str	300	July 12	Wusung	Chinese Government		
	Rona	Morrison	Br str	784	Nov 30	Hongkong	Jardine, Matheson and Co		
1 s	Shanyuan		Br str	3			Trautmann and Co		Laid up
	Shanse	Frand	Am str	561	Nov 29	Hankow	Russell and Co	Hankow & Ports	2nd instant
3 s	Tatung	Cook	Am str	107	Oct 13	Hankow	H. Fogg and Co		
6 p	Ta-Yung	Hutchinson	Br str	105	Oct 17	Hongkong	Russell and Co		
1 s	Tsatlee	Tubbs	Am str	60	Feb 19	Soochow	Russell and Co		Laid up
5 p	Wan-Loong-Fei	Merrills	Br str	45	Sept 10	Launched			Laid up
7 p	Whampoa	Phillips	Br str	315	Nov 21	Put back	Glover and Co		
	23 Steamers								

RECEIVING SHIPS AND HULKS.

No.&Sec.	Name.	Commander.	Flag.	Tonnage.	Agents.
	Receiving Ships.				
3 s	Ariel	Deslandes	British ship	596	P. F. Cama and Co
4 s	Berwick Walls	Patridge	British ship	685	Jardine, Matheson and Co
4 s	Emily Jane	Roundy	American ship	490	Augustine Heard and Co
4 s	Water Witch	Lewis	British barque	297	Captain Lewis, on board
3 s	Wellington.	Bennett	British barque	412	David Sassoon, Sons and Co
	Hulks.				
7 p	Bethel	Rev. Kaufmann	American barque	286	Church Trustees
3 s	Frederick VII	Watson	British barque	350	Imperial Customs
O U L	Keen-ta	Holmes	American barque	341	Powder Magazine Chinese Government
O D	Kingsan	Brown	American ship	570	Captain Patridge
1 s	Lady McNaughten	Green	American barque	490	Messageries Imperiales
8 p	Melbourne	Friday	British ship	504	Shaw, Brothers & Co.
O U L	Ngapuhi	Gardner	British barque	545	Harbor Master
5 p	Nimrod	Howard	British barque	262	H. I. M.'s Customs

ADVERTISEMENT.

NOTIFICATION.

SWEDISH AND NORWEGIAN CONSULATE GENERAL.

Shanghai, 13th Nov., 1866.

THE Pilot Regulations for the Port of Shanghai agreed on by the several Consuls and the Chinese authorities, and published by the Commissioner of Customs on the 8th instant, will be considered binding on Swedish and Norwegian subjects at this Port, pending instructions from the Government.

Applications for Licenses may be made to the Harbour Master on and after the 15th instant, and the Regulations will come into effect on January 1st 1867.

F. B. FORBES,
Consul General.

3Idc 1447

Miscellaneous Intelligence.

NOTICE.—Trinity Church.—Divine Service is celebrated every Sunday at 11 A.M. and 5 P.M. Holy Communion is administered on the first Sunday of every month.

Persons not holding Pews are at liberty to occupy any seats they may find vacant when the reading of "The Psalms" is finished.

NOTICE.—Seamen's Church, Shanghai.—Divine Service is held in the above Church Every Sunday by the Rev. Moritz Kauffman, the Chaplain, at half-past 10 o'clock in the Morning, and 4 o'clock in the Afternoon.

NOTICE.—Divine Service is held at the Union Chapel (Shantung Road) every Sunday Morning at 11 o'clock, and in the Evening at 6 o'clock, also on Thursday Evening at 6 o'clock.

NOTICE.—Holy Mass is held in the Roman Catholic Chapel near the French Consulate, every Sunday at 8 and 9 o'clock in the morning, and Benediction at 4 o'clock in the evening.

LATEST DATES.

England..(tel.)..Oct.	27	Hankow,.........Nov.	22
Hongkong,.......Nov.	22	Nagasaki,......... ,,	18
Tientsin,......... ,,	24	Yokohama,....... ,,	18

– Latest dates in England, from China,—

Hongkong,....... Aug.	12	Received via Marseilles Sept. 29th.
Shanghai,....... ,,	5	

OPIUM QUOTATIONS.

For the week ending Nov. 23rd, 1866.

Nov.	*Malwa.* *New.—Tls.*	*Patna.* *New.—Tls.*	*Benares.* *Tls.*
24,—			
26,—	640	452	455
27,—	640 a 645	455	460
28,—	615	453	455
29,—	610	455 a 456	455
30,—	610	452	455

METEOROLOGICAL TABLE.

Date.	Time of High or Low Water.	Rise or Fall.	Wind.	Force.	I.	Bar.	Ther.
	h. m.	*ft. in.*				° ′	°
Nov. 24 L.W.	0.45	11.07	Calm	0	m	30.16	57
,, 24 H.W.	1.38	23.02	W.S.W.	1	o	30.11	56
,, 25 L.W.	10.34	11.03	W.N.W.	4	b	30.16	54
,, 25 H.W.	2.42	22.00	N.	6	b	30.19	55
,, 26 L.W.	11.27	12.08	N.N.W.	6	b	30.45	44
,, 26 H.W.	3.24	22.01	N.W.	4	c	30.40	44
,, 27 L.W.	11.57	11.02	W.N.W.	3	b	30.37	39
,, 27 H.W.	4.07	20.06	,,	2	b	30.35	41
,, 28 L.W.	12.25	12.10	N.	4	b	30.45	41
,, 28 H.W.	4.58	21.00	N.N.E.	3	b	30.43	43
,, 29 L.W.	12.54	12.06	W.N.W.	1	c	30.34	46
,, 29 H.W.	5.35	19.05	N.E.	1	o	30.32	46
,, 30 H.W.	6.27	17.11	N.N.W.	1	f	30.27	47
,, 30 L.W.	1.37	13.08	N.N.E.	2	b	30.20	48

Explanation.

F. Force (1 to 12). I. Initials; b. blue sky; c. clouds; f. fog; h. hail; l. lightning; m. misty (hazy); o. overcast (dull); r. rain; s. snow; t. thunder; z. calm.

BIRTH.

At Shanghai, on the 24th November Mrs. Coutts, of a son.

DEATHS.

At Shanghai, at midnight of the 24th instant, Robert Page Hodgson of Inflammation of the Lungs, age 20 years.

At Hankow, on the 21st inst., Annie Jane, infant daughter of James Aitken, Esq.

LATEST SHIPPING INTELLIGENCE.

Arrived.—Dec. 1st, "Express," (Br. str.), Whitelaw, from Ningpo; "Moyune," (Am. str.), Johnston, from Hankow; "Hirado," (Br. str.), McQueen, from Hankow; "Tahwah," (Am. str.), Andrews, from Hankow.

Departed.—Dec. 1st, "Fusi-yama," (Br. str.), for Foochow; "Nanzing," (Br. str.), for Taku; "Zodiac," (Br. baq.), for Nagasaki.

PASSENGERS.

Arrived.—Per Steamer "Express," from Ningpo—Mr. Tyree. Per str. "Aden," from Hongkong,—Miss Blackwell, Lieut. Fatarinoff, Messrs. J. W. Thwaith, Cowdefoy, Lang, Hooper, Webster, Swire, R. J. Morris, Zimmern, J. Anderson, W. Stwatman, Bissett, C. Lamb, J. A. Rauils, and 25 Chinese. Per str. "Rona," from Hongkong,—Messrs. Beveridge, Rainbow, and Orme.

Departed.—Per *Singapore* for Hongkong.—Capt. Thompson, Lieut.-Col. Lovell, Commander Doughty, Messrs. D. B. Robertson, Arthur, Detmering, H. D. Stewart, A. Broom, R. E. Parker, J. Smith, F. Porter, E. Pettit, W. A. Whyte, E. E. Fouller, J. Davenport, B. Munchoyn, B. Smith, W. West, J. Bernhard, 2 Japanese Officers, and Mrs. Smith. Per P. & O. S. N. Co.'s Steam-ship "Ganges" for Yokohama,—Messrs. Bisset, C. Lamb, S. A. Rainer, J. Lamond, A. Howell, Thos. Lenton, and Kirmcah.

One of the P. & O. Co.'s Steamers with Mails, &c., for Europe, is appointed to leave on Sunday, the 9th instant.

The London Mail of the 26th Oct., due in Hongkong on the 10th Dec., and here on the 16th.—It arrived last year on the 20th Dec., per *Aden*.

The French Mail of Oct. 17th, due in Hongkong on the 28th Nov., and here on the 5th of Dec. It arrived last year on the 10th of Dec., per M. I. "*Dupleix*."

The publication of the *North-China Herald* commenced at 4 P.M.

The North-China Herald.

IMPARTIAL, NOT NEUTRAL.

SHANGHAI, SATURDAY, DEC. 1, 1866.

The letter by the Municipal Council on the local government of Shanghai, summarises the views which have been expressed in the local papers and at Land Renters' meetings, since the necessity became obvious for an extension of the present system of administration. The principle points which have to be considered are—the giving a legal status of some kind to the Council; the execution of native warrants within our limits; and the ever-recurring question of taxation. The necessity of conveying to the Municipal Council some power which will enable it to enforce payment of taxes, has frequently been made apparent by the refusal of a peculiarly constituted few, to contribute their quota towards the Municipal arrangements of which they reap the benefit. In the olden days of the Committee of Roads and Jetties, when the community was small and money plentiful, cases of recusance were unheard of. Now, matters have changed; the community numbers thousands instead of hundreds, and the normal dislike to taxes has come in force with declining prosperity. The inconveniences attendant on the uncontrolled execution of native warrants in the foreign settlement, were clearly seen and admitted by Sir Rutherford Alcock, in his letter to which this is a reply. It practically gives the Chinese the power to drive out all native residents, to the ruin of property-holders, whenever they choose to exert it. At first blush it seems unjust to check in any way the action of Chinese authorities in regard to their own subjects; but, practically, it is quite possible and necessary to maintain some surveillance to prevent their driving away our tenants by systematic persecution and squeezing. The arguments advanced by the Council in support of their plea for a contribution from the Taotai, are rather specious. If His Excellency is to pay, as they urge he should, the expenses of police protection, he will naturally assert a right to the produce of native taxes. The Tls. 200,000 with which the community is described as burdened, are not all exacted from foreigners. A very fair proportion of taxes is paid by Chinese residents, as a reference to the budget will show; and though we quite admit that a further contribution from the Taotai would be very satisfactory, the logic of the Council's argument in support of their claim, seems open to question.

The necessity under which the French have found themselves to adjourn the Corean expedition till the spring, is to be *regretted both on their own account* and on that of their opponents. The latter will be encouraged, by the belief that they have repulsed their assailants, to more determined opposition, which can only result in more signal defeat; and the former will probably be compelled to enter on a small war, where "moral" pressure might have sufficed. We cannot but think it was unadvisable to enter on the expedition so late in the year, with the knowledge that, unless its object were immediately attained, the fleet would have to retire before the approach of winter. The mistake was, we suspect, committed of underrating the degree of opposition likely to be encountered. Estimated by the means of resistance at the disposal of the Coreans, this was, of course, inconsiderable; they could not oppose the passage of gun-boats, and *might very probably be awed* by their cannon into the desired submission. But, failing this result, the Admiral had no adequate force, with which to prosecute his operations on land—nor even to hold a city which fell almost unresistingly into his hands. His approach to Kang-hoa was unopposed, and the city itself was very lightly abandoned to him. But he was still thirty miles from the capital, and an intimation that the passage of the river had been barred, and that a large army had been assembled to attack him, sufficed to impart a grave colouring of suspicion to the Viceroy's request that he would come up and treat. The safer course of remaining at Kang-hoa, and reversing the proposal, was preferred; the punishment of those who had been instrumental in the massacre of the missionaries, being demanded. It has, however, been long ascertained that the *only* vulnerable point of Eastern nations is their capital itself. So long as we confined our attacks to Canton, Nanking, or even Tientsin, they availed little to obtain us concessions from the Imperial Government. It was only with Peking in our power, that we were able to dictate terms. The same difficulty has been experienced in the Corea, with similar results. Being out of range of the *Guerrière's* guns, the King's advisors rejected the wise counsel of the Emperor of China, to negociate and *submit*; and, *having* failed to draw the French fleet into the trap prepared, boldly threw off the mask and assumed the offensive—with a success which, as we have said before, we regret doubly. The advance of a large Corean force at once made apparent the weak point in the French expedition, and necessitated the abandonment of Kanghoa, after a loss of about 35 men and 5 officers wounded, and two or three killed, in an attack on an outlying Corean post. However disagreeable a retreat, which the Coreans would interpret into a repulse, it would manifestly have been in the highest degree rash on the part of Admiral Roze, to risk being frozen in, with so small a force at his disposal. The inevitable therefore was accepted, and the fleet retraced its passage down the Seoul, leaving the Coreans no doubt highly elated, and doubly resolved to carry on their alleged design of exterminating all men professing the Christian religion within their borders.

Loss has no doubt been caused them; one of their most strongly fortified places has been in the hands of the enemy, and a quantity of munitions of war which it contained have been destroyed. But Orientals always regard failure to attain the avowed result, as complete failure; and though Admiral Roze has no doubt taught the Coreans that outrages on French subjects will not be allowed to pass unnoticed, he has been obliged to retire without attaining the avowed object of the expedition—the punishment of those implicated in their murder. That he has so failed is not chargeable to any short-coming of his own, but to the inadequacy of the means at his disposal. As we said before, he might have overawed the Coreans into submission; but if they determined on resistance, he had small chance of subduing them, without a land force which he could venture to advance beyond the range of his ships' guns. There can be little doubt that the matter will be pushed further in the spring, and an effort made to open up the country to foreign intercourse. The punishment inflicted by the destruction of a city may have been adequate to the crime committed, but no guarantee has been obtained against a repetition. In the meantime, foreign vessels have, for the first time we believe, ascended the waters of the Seoul; and a nearer approach has been made towards ascertaining what manner of men the Coreans are. The impression hitherto had been in their favour, and the tendency of the present expedition has been to confirm it. They are, we believe, admitted by the French officers to be superior to their neighbours, both in character and as soldiers.

Summary of the Week.

Yesterday, being the festival of St. Andrew, was celebrated as Scotchmen always do celebrate the festival of their patron Saint, in whatever part of the world they may be cast. At least sixty or seventy guests sat down to an excellent dinner at the Club, under the presidency of Mr. Winchester, and appeared when we left, at 1 P.M., inclined to carry the proceedings far into the night. The usual loyal toasts were most happily proposed by the Chairman, who was followed by the Vice-Chairman with "the Army, Navy, and Volunteers," responded to by Major Crossman and Mr. Lawrance; "the Kirks and Universities of Scotland" proposed by Dr. Sibbald and responded to by Mr. Muirhead; "the Bards of Scotland" by Dr. Johnston; "Our Guests," by the Chairman, responded to by Mr. Seward and M. de Montmorand; "Absent friends" by Mr. Butcher; "the Lasses" by Mr. Reuple, and various other toasts. The French and American Consuls General and the Belgian Minister were present. The Cosmopolitan Lodge also celebrated the anniversary of the Scottish Grand Lodge festival by a dinner, at which, unfortunately, we were unable to be present.

The first Paper Hunt of the season came off on Wednesday last; successive mails having barred Saturday, Monday and Tuesday. There was a quantity of cotton stalk standing, which it was feared would render the scent rather difficult; but it was a pity to allow any more of the splendid weather we have lately been enjoying, to pass. There was a good field and plenty of fun, as a lot of new ponies had to be introduced to jumping—a process which generally ends in the introduction of a few riders to cold water. The abolition of the prize system for the first man in at the death did not lessen the speed so much as had been expected; the mere spirit of emulation, and excitement of galloping, supplying plenty of impulse. About thirty probably, started, but very considerable thinning took place in the course of the run. One gentleman was deposited in a ditch at an early stage of the proceedings; another, we hear, got a purl which stunned him for some minutes; a third materially damaged his frontispiece, others got minor spills too numerous to mention, and one pony broke his leg. The course lay from the Grand Stand, through the country to the left of the road, to the Bubbling Well, thence up the "Tansin line" of jumps, and down the "International Steeple Chase course" to Fahwa; thence to Jessville, and back to the Bubbling Well. The pace was good throughout and, thanks to a plentiful expenditure of paper, the scent never failed. *Black Beadle*, ridden by his noble owner, was the winner. The recent frosts had rendered the ground very hard for spills; but the line of country chosen, was less difficult than is usually selected later in the season.

Messrs. Jarvie Thorburn's property at Kiukiang has been sold by auction for Tls. 4,900, and that at Hankow for Tls. 6,300.

The Volunteer corps mustered in fair strength on Thursday afternoon, in accordance with invitation, and marched out to the Race Course, where they went through various exercises. The distribution of prizes *which was to have taken place after the* parade, was postponed; but the competitors adjourned to the Club for the usual friendly dinner, after dismissal.

The French expedition to Corea has been obliged to suspend hostilities during the winter. The flag ship *La Guerrière* and the *Laplace* have gone to Nagasaki to winter, and the *Primauguet*, *Tardif* and *Le Brethon* have returned to Shanghai.

The following interesting account is given by our Correspondent of the circumstances which led to the French withdrawal:—"The Regent seems determined to resist all attempts to penetrate into Corea. A general levy of men had been ordered, and the peaceable appearance of the country very soon began to change. Detachments of soldiers headed by officers on horseback appeared on the left bank of the river, and the inhabitants of the Island of Kanghoa gradually disappeared from their labours of cultivation. Spies brought in word that troops were advancing to attack the French position. Admiral Roze therefore ordered a reconnaissance to be made across the river along the road leading to Seoul; and on the 26th October, about 150 men were detached to effect a landing. The whole line of the river opposite the French camp is flanked by a crenelated wall with a large gateway and a jetty advancing into the river. The French boats' crews had repeatedly landed there, and had not seen any troops. No resistance therefore was expected and insufficient precautions were taken to make the landing successful. The boats advanced within thirty yards of the gateway, when the line of wall seemed alive with men, and *a galling fire was poured down on the* French, wounding twenty-five and killing two of the crews. One boat managed to get to the jetty and some sailors having been formed on shore they rushed through the gateway which was left open, and attacked the Coreans with their bayonets, killing twenty and wounding others and putting the rest to flight. The reconnoitering party proceeded no further but returned to Kanghoa. A short time after a body of Corean soldiers, about 2,500, advanced along the road from Seoul carrying cannons suspended on bamboos in the Chinese style. Fire was opened on them with two rifled cannon at 1,000 yards, and afterwards at 1,500 yards, and as the shells burst amongst them they fled to the mountains. They managed however to take their cannons with them. While the Coreans were thus preparing to invest the French camp on the side of the mainland, news was brought in that three hundred troops had landed on the Island of Kanghoa during the preceeding night and had established themselves in one of the forts. A gunboat was despatched to ascertain the correctness of this, and no trace of any boats except two small sampans could be found within a range of two miles of the spot where the troops were said to have disembarked. The French had previously destroyed more than two hundred junks, so as to cut off communication with the other side, and the absence of boats after a diligent search by the gunboat, caused the report of the troops landing to be disbelieved. The next day a spy came in and reported that five hundred more troops had landed during the night, and that an attempt would be made by a further increase of troops to dislodge the French from Kanghoa. Another reconnoissance was ordered by the Admiral, and its disastrous termination was perhaps the cause of the withdrawal of the French troops from a position that seemed no longer tenable, with the forces that the Admiral had at his disposal. The reconnoitering party of about 150 men advanced in the direction of a fortified Pagoda, where the Coreans were supposed *to be lodged. No signs were to be seen of* troops, and the French had reached a reentering angle of the fort within 120 yards of the walls, when the ramparts were suddenly manned by about 500 Corean soldiers and a heavy fire poured upon them. At the first volley thirty five Frenchmen fell. Three were killed, the rest wounded, and amongst these were five officers. The ground where the French received this fire was quite open without any cover for the men, and the Commander ordered a rear movement to get under a ridge about three hundred yards distant. The Coreans perceiving this started from the fort walls, and about one hundred and twenty of them sallied out in pursuit of the French. They were quickly received with a volley of rifle bullets, and they shortly after retreated inside the fort, leaving their dead. About *twenty-five of the Coreans* who rushed out against the French were clad in armour consisting of helmets, breast plates and thigh and arm pieces. They are reported to have stood the fire of the French with coolness for about three minutes, and when they retreated they did so leisurely and *without running*. The French returned to the camp as they had no artillery with them, nor did their diminished numbers permit them to penetrate further.

The Viceroy, we learn, has returned to Nanking, having, according to Chinese accounts, fought thirteen battles with the Nienfei and captured 10,000 men and enormous quantities of loot. The Nienfei are now said to be fairly exterminated from Shantung.

The weather at Newchwang appears to have been as fine, lately, as that we have enjoyed at Shanghai. The thermometer has not yet fallen below 20°; but a further drop is daily expected. The *Ta-lee*, which left on the 14th for Swatow, is expected to be the last ship out of port this season.

Our Foochow correspondent mentions the *John C. Munro*, as the only tea-ship which has left since his last report. She cleared on the 15th, with 6,426 piculs, bringing the total export of black tea to 343,347 pcls.

Hongkong papers mention the discovery of a plot to attack and rifle the settlement by an advance of 2,000 brigands through the Lyeemoon, and another 1,000 over the hills from the South. The plot was discovered through the arrest of a messenger bearing a letter giving all details, for stealing some sugar cane from a field through which he was passing. This document was then found on him. It is suggested, however, that the plot exists only on paper, and that it was intended the man should be arrested, in order to frighten the government into relaxing the late stringent rules which have been enacted in regard to pirates.

CHANGE.

While the commercial advantage Shanghai would derive, from the construction of a railway connecting it with Soochow and Hangchow, has been freely discussed, one great boon that it would confer has been overlooked—facility for rapid and complete change of air and scene. The constant complaints of dullness brought against Shanghai are, we believe, mainly due to weariness of perpetually walking through the same streets and riding on the same road, along the same dead level. The shooting excursions, in which every one indulges more or less frequently at this time of the year, are pleasant, but they afford little variety. The mode of progress is so slow, that few can afford time to go further than thirty or forty miles from the settlement,—not far enough to gain sight even of any hills more pretentious than those near Tsingpoo. Beyond the relief felt at getting away from business; these boat trips afford, then, little variety, and depend almost entirely on sport for their change. What is wanted is the means of rapid transition from the monotony of the settlement, to a district which would afford some positive gratification, beyond the mere negative relief of idleness. Shanghai is very fairly provided with means of amusement within itself. A Cricket ground not to be surpassed in the world; a Base Ball Club; a Rowing Club; a Bowling Club; a Racquet Club, in connection with which a Quoit ground is to be made; and a Gymnasium, afford ample choice to lovers of athletic sports; besides which there appears every prospect that our amateur actors will shortly have a theatre, in which to charm the general body of residents on occasional winter evenings. But with all this, people constantly complain that the place is dull; that, in fact, they are wasting so much of their life while living here. The secret, we repeat, lies simply in the want of complete change, which a railway would enable every one to enjoy. Even Soochow is hardly the spot one would select for a trip, but it has the advantage of hills in very tolerably proxially, and of water not enclosed on either side by a bank confining the view to the grass growing on its sides. Hangchow is still more favourably situated—on the banks of the famous Si-hu of which Du Halde says that—

> The water is good and clear as crystal, so that the smallest stones may be seen at the bottom . . . In the midst of the lake are two little islands whither the inhabitants usually repair after having taken the pleasure of the barks, and where they have built a temple and houses fit for diverting themselves. The sides of the lake are likewise adorned with temples, huge monasteries for bonzes, and pretty handsome houses.

The Taepings unfortunately have destroyed the houses built by the inhabitants "for diverting themselves"; and of the "huge monasteries" little save the walls is left standing. But the water, and the hills which encircle it they could not destroy; and these are a sufficient attraction, after the dull flats around Shanghai. The view from the top of the pagoda hill—the Si-hu immediately beneath, the Tsien-tang in the distance, and the hills of Sao-san beyond—in itself repays the visitor. Notwithstanding its heat, Madras has been rendered a comparatively pleasant place by the construction of a railway to the Neilgherries; and even Calcutta will be bearable when the project of carrying a line from the left bank of the Ganges to the foot of the Himalayas is completed. But Calcutta, during eight months of the year, is a furnace, and Darjeeling is four hundred miles from it; whereas the climate of Shanghai during eight months of the year is pleasantly cool, and the hills of Hoochow are not four hours' journey by rail, although nearly three days' by the present system of travelling. We have, therefore, another motive, besides mere commercial advantage, for praying that the prejudice of the Chinese officials may be overcome. Trips to Nagasaki or Chefoo, or even to Ningpo—which can only be indulged in once or twice a year, and involve a quantity of troublesome preparation—do not offer the kind of change wanted, however enjoyable in themselves. Were Shanghai less of a prison than the slowness and difficulty of communication with the interior now make it, few complaints would be heard of its dullness.

THE COREA.

[FROM OUR CHEFOO CORRESPONDENT.]

November 20th.

The French naval expedition, which left Chefoo for the Corean coast on the 11th October, arrived at Eugenie Island on the next day; on the 13th the fleet anchored at the "Isle Boisée" and preparations were immediately made to proceed to Kang-hoa, the point which Admiral Roze had determined to make the basis of his operations. The difficulties of navigation on the Corean coast are great, but they were all overcome by the ability and patience of the officers of the squadron, which seems to have been specially favored by fortune on this occasion. As the gun-boats ascended to river leading to Kang-hoa, they met at nearly every town with stone built forts (all recently erected) situated in most commanding positions; and if these defences had been in the hands of a more warlike population, the passage of the river would have been impossible, and all the vessels attempting it would have been sunk. Evidently, the Coreans were unprepared for the sudden arrival of the French gun-boats, and the cannon on the ramparts of the forts pointed harmlessly over the long grass on the river side, while the only occupants of these strongholds seemed to be the country people, whom curiosity had induced to mount on their summits.

On the evening of the 14th October, Admiral Roze ordered his men to land close to Kang-hoa, and a ship's company destined for that purpose, which had been brought up by the gun-boats, immediately occupied the heights commanding the town, without meeting any resistance.

On the 15th, the French advanced to the suburbs of the town, at about three miles from where the first landing took place, but after firing a few shots the Corean guards took to flight and the night closed in with no other sound but the talking of the sailors at their bivouacs.

On the 16th, at 6 o'clock in the morning, the whole force advanced in three colums towards the walls of the town, which seemed to have no garrison to defend them. As soon as they reached the principal gate, a slight engagement took place between the guard and the head of one of the columns, which cost the lives of three Coreans. This was the only resistance offered, and the French troops immediately afterwards entered the town, with their usual cry of "Vive l' Empereur." Admiral Roze and his staff headed the advancing column, and the tricolor soon waved on the ramparts of Kang-hoa, in token that the Corea was opened to the light of European civilization. On entering the town, it was found nearly abandoned, and the few remaining inhabitants were collecting their goods and chattels ready for departure. Some attempts were made by the retreating Coreans to set fire to the town, and one man who was caught in the act was shot by the French troops.

Kang-hoa is of large extent, and capable of holding from twenty to thirty thousand inhabitants, judging from its size and the number of houses. The buildings, with the exception of the Kings' palace, are of the most miserable description, being generally of mud-walls thatched with reeds. The Palace is one of the three strongholds of the Corean monarch, used as places of refuge and safety in case of insurrection or invasion. It is to be regretted that the King had no confidence in the strength of his retreat, as he would then have been captured by the French, and negotiations for opening his territories to European trade could have been begun without further delay. The palace is situated on the side of a hill, in the midst of a fine park, and like the Imperial city in Pekin, constitutes a town of itself within a larger town. Elegant pagodas, pavillons, summer houses, theatres, vast halls destined doubtless for receptions on grand occasions, all in good condition and surrounded with grass lawns, flower beds, and shady groves of trees, form the sumptuous domain of the chief authority of the Kingdom; and it forms a striking contrast to the hovels of the inhabitants which surround it.

Kang-hoa is certainly the most considerable fortress of the Corea, if one may judge from the means of defence and implements of warfare that have been accumulated there. Muskets, swords, daggers and cuirasses were found not only in thousands, but in tens of thousands. Besides this there were large numbers of cannon and jingals of brass and iron, together with large magazines full of cannon balls and every sort of ammunition. All this, as well as an immense quantity of bows and arrows, fell into the hands of the French without a struggle. All these preparations seem to have been made quite recently, and they appear to indicate a martial instinct amongst the Coreans, without which it would be almost impossible to explain the astonishing developement of their fortifications, and the accumulation of so much *matériel* of war. How did it happen that, with such abundant means of defence at their disposal, the Coreans did not offer more serious resistance to the French? No doubt they were taken by surprise, and though the powder and shot were ready, the troops were not on the spot. It is quite possible that, as the French advance, they may find some greater difficulties, as the Coreans have ample time to prepare themselves against future attack. No doubt, however, can exist as to the result of any resistance on their part, and it is to be hoped that their instinct of self preservation may prompt them to avoid the slaughter that would necessarily follow, in any serious engagement with the French forces.

A few days after the French had occupied Kang-hoa, a deputation from some Corean authorities arrived, with a letter setting forth certain false statements about the Missionaries and Christians, and requesting the French Admiral to send some one, or to come himself to the capital, and discuss all matters relative to the late massacre of French Missionaries, in a friendly spirit. Admiral Roze replied that, in case the Corean authorities wished to treat with him, they had better come to Kang-hoa, where their safety would be guaranteed. It has since been discovered that the Corean invitation was only a plan to ensnare the French Admiral to Seoul the capital, and a mine had been prepared to explode under a certain portion of the road, so as to destroy him and his suite. Nothing further ensued from this abortive attempt at negotiation on the part of the Coreans, and it is not precisely known what may be the future course of operations. There is only one road from Kang-hoa to Seoul, and that passes along the left side of the river so that, the French, after marching twenty six miles, would find themselves opposite the capital and separated from it by a river as broad as the Wang-poo at Shanghai. Although the winter has hitherto been unusually mild, the great cold is sure to set in at the beginning of December, when the river is usually frozen entirely over. Although this would deprive the French of the use of their gun-boats, it might otherwise facilitate their approach to the capital, and it is not at all impossible that an advance may take place before long. As Admiral Roze has the whole responsibility of the expedition, he will naturally take every precaution, not only for the safety of his own troops but also on the score of humanity, to prevent any useless shedding of blood of the natives, by which their feelings might be still more embittered against foreigners. The French corvette *La Place*, which lately visited Shanghai, brought the Admiral instructions from the French government as to future operations, and we may hope ere long to see how things will turn.

The two surviving French Missionaries contrived to make their escape from the Corea in a junk, and arrived at Chefoo on the 23rd of October. They had been hiding in the mountains near Kang-hoa, between that city and the capital, and were within a league's distance of the Admiral's vessel when he first visited Kang-hoa. The system of police adopted by the Corean Government was so severe that they could not manage to get through the lines of native guards which were entrusted to prevent communications with the French. As soon as they heard the French Admiral had left, not knowing that any further expedition would take place, they determined to leave the country and seek the interference of the French navy at Chefoo. The cold was getting so severe in the mountains, that the missionaries feared it would be impossible to live there, as their only resting place was the cold ground; and without proper clothing, and with very little food, they found it would be useless attempting to remain where they were. One of them, the Abbé Calais, had already lost the use of one side of his body owing to privations, and with the greatest difficulty he was carried to the coast by the faithful Christians who helped them to escape. Previous to leaving the Corea, the missionaries heard of the rejoicing in the capital for the murder of the crew and passengers of the "General Sherman." Sacrifices of thanksgiving were offered up by the Corean Ministers, for having been rid of the foreigners; and prayers were said that they might be able to overcome all other intruders in a similar manner. It appears that all the persons on board the "General Sherman" were killed on the 2nd September last. The missionaries on their arrival at Chefoo, offered a sad spectacle. Worn out by suffering, and clothed in torn and soiled garments bearing the marks of privation and fatigue, they reached the door of one of the foreign hongs late in the evening, having landed at Wei-hai-wei, about twenty miles distant, from whence they had wearily travelled. Hungry and tired, and with but scanty clothing, they asked for a resting place for the night, and where they could find some food. One minute sufficed to show them that they were welcome visitors, and that their wants would be cared for; and these devoted men received every attention that could restore them to strength and health. During the fortnight that they remained at Chefoo, they gradually recovered their strength, and after endearing themselves to those who had the happiness to receive them into their house, by their unaffected piety and feelings of charity towards their late persecutors, they left for the Corea in the *La Place*, on the 12th November, where doubtless they will give such information to the Admiral as will enable him to succeed in his work of humanity and civilisation, towards the Corean people.

MACARTNEY.

To the Editor of the
North-China Herald.

Sir,—It is amusing to observe how some persons mistake volubility for argument; and having set up a giant of their own creating, imagine they have done a valiant thing in overwhelming him with a flood of words. The *Recorder* has afforded a recent instance of this ingenious process, in an article relating to Macartney's appointment to aid the Foo of Nanking in removing any difficulties that might arise in regard to foreign travellers, during the absence of the Viceroy in Shantung. After pointing out how frequently misunderstandings between Chinese and foreigners would be obviated, if they understood each other better, you say

> In this view, apparently, the Viceroy, who is also it must be remembered, Commissioner for Foreign Affairs, has appointed Macartney to act in conjunction with the Foo of Nanking, in conducting any negociation that may arise pending his absence in Shantung. This appointment of a foreigner to aid in carrying out the treaty as regards foreigners, must be considered advantageous.

This, so far as I can discover, is the only "magnificent speculation" in which you indulged, the only statement you made. Your contemporary however converts this into an assertion that he had been appointed to "conduct negociations on behalf of the Chinese Government" and, after accusing you of endeavouring to mislead the public, courteously adds that your whole article was "a tissue of misrepresentations," and that the creation of a Macartney to be "a mandarin to conduct negociations with foreigners is entirely false." It would be almost sufficient to leave the matter here, and then to contrast your own statement with the giant raised up by your contemporary, in order to enable him to emit "torrents of words,"—in not the best imaginable taste. But it may not be amiss to dwell a little on the exact value of the term "negotiations," as this word appears to have been the Will o' the Wisp which has led him into so very muddy water. Very possibly, this is not exactly the word that ought to have been used. Your contemporary would, no doubt, have succeeded in evolving at least six lines which would have conveyed an impression so vague that he might have been able to assert it bore any interpretation he chose—in order to express the idea. Any one of ordinary intelligence would have perfectly understood that you never intended the term "negociation" to imply power to make new treaties or to alter old ones; inasmuch as that is not within the power of the Imperial Commissioner himself, whose duty only extends to seeing those now existent put into effect. Neither is there any power south of Peking, which is empowered to negociate in the exalted sense in which your contemporary employs the word. The haggling that goes on between the Taotai and the foreign Consuls, is no more *negociation*, in the proper sense of the word, than are the duties which the *Recorder* alleges belong to Macartney's office.

It being understood, then, that no political negociations are carried on at Nanking, for the simple reason that there is no one on either side empowered to negotiate, there was no danger of the public being misled by the statement that Li had empowered Macartney and the Foo of Nanking to conduct any negotiations during his absence. Nobody less stupid than the *Recorder* would for a moment have conceived this to have had any other signification than that, in the words of your contemporary, Macartney was to "assist in settling any difficulties with foreigners that might arise during Li's absence." The result of the minute enquiries which the *Recorder* has taken the trouble to make, does not in the slightest degree invalidate either the scope of your article taken as a whole, or disprove a single one of the advantages which you argued as likely to arise from the appointment of Macartney to assist in putting the Chinese in the way of settling any difficulties which may arise with foreigners in these districts. Whether, moreover, he be individually a Commissioner or a special constable, does not in the slightest degree affect the soundness of the views you put forward regarding the great cause of so frequent difficulties arising—mutual misunderstanding, which could be most advantageously removed by the intermediation of a man conversant with the habits and mode of thought of both races. If, however, the *Recorder* were but ever so little acquainted with the duties pertaining to a Chefoo, he would have discerned the inappropriateness of comparing any one exercising the office of constable with a magistrate of that rank. But when such lamentable misconception is displayed by a writer regarding the rank of officers belonging to his own country, no less profound ignorance could be expected from him, when speaking of the position of officers in China.

With a view to depreciate the rank to which Macartney has raised himself in China, he particularly cautions us against confounding the *honorary* rank of Taotai which has been conferred him, with the position of Taotai; telling us that it bears the same relation to the latter which the rank of Brevet Major unattached does to the rank of full Major—a distinction which does not and never did exist in the sense the *Recorder* implies. As regards fullness or completeness, a Brevet Major is just as perfect a Major as the nondescript personage whom he designates a full Major.

I am ashamed to have to describe what Brevet rank really means; but would be understood as doing it not for the benefit of your readers who know it quite well, but for the information of your contemporary who evidently knows nothing about it. In the army there are two ranks, brevet and regimental; and a brevet Major signifies a Major in the army taken as a whole—and not a regimental Major viewed as belonging to a special corps or department. There is no such distinction between the two as your contemporary would have us believe; they are both equally Majors, equal in rank and, as officers of *the army*, equal in everything. In the same regiment may sometimes be seen a Lieutenant Colonel commanding, and a Major with the Brevet rank of Lieutenant Colonel serving under him. Should the Brevet rank of the latter be senior to that of the former; though, in regimental matters, and on the regimental parade ground, he will submit to the former as his commanding officer, the minute they are brought together on any kind of general duty it is different. On a Court Martial, for instance, the officer having brevet rank, in such a case as above, signs first; and on brigade parade he steps forward and commands the regiment, again falling back into his position as Major when it ceases to act as part of a division or brigade. Thus, unquestionably, brevet rank does not mean honorary, in the sense of yielded through courtesy, but which cannot be demanded. In the same way, Macartney's rank, though brevet, is not honorary. He is a Taotai as much as Ying the present Taotai of Shanghai. Certainly he is not a Taotai of any place in particular, but simply a Taotai in the Chinese Empire as Woo, the late Taotai, or as Ying may be to-morrow.

Your contemporary winds up by reminding us of the difficulties which arose out of the interference of Mr. Lay with political questions; but though all the blame is thrown on that gentleman, it is not quite clear that some of the bungling which characterised that affair was not due to the part played by our own minister. We are told that we have our regularly ap[illegible] officials for treating with the Chin[illegible] that with the Chinese directly we ou[illegible] treat or not at all; that the interfer[illegible] a foreigner, an employé of the Chin[illegible] Government, is likely to be one-sided because his predilections, his associates and his interests alike incline him to take the Chinese view of any question that arises. Ag[illegible] I must observe that it is amusing to observe volubility mistaken for argument, and high-sounding words strung nonsensically as the perfection of reasoning. Whether an employé of the Chinese Government will be influenced to favour them unduly by his predilections and associates, will depend on what and who his predilections and associates are. His predilections—he being an European—would most likely be European; and his associates, I presume, partly European and partly Chinese. Why then should he, for these reasons, be partial to the Chinese? It is added that his interests also will have this effect on him. But does not this again depend on what his interests really are. An intelligent man will understand that, though a seeming acquiescence in the Chinese view of the case and resistance to that taken by the foreigner might look like attachment to the native interest and be, for the time perhaps, advantageous to his own; yet, in the long run, such support of ignorance and resistance to progress will most likely be detrimental to both. In this way of looking at your contemporary's assertion—*vox et præterea nihil* is discoverable. An employé will undoubtedly incline to do what he considers most beneficial to his employers; but no intelligent man will prefer immediate applause when he knows that it must, before long, be followed by an equal amount of disapprobation. Why, I would ask, should we so much fear European interference between ourselves and the Chinese; why prefer to go direct to the mountain of ignorance and dig and quarry through stratum and stratum of prejudice, when it might be possible, by the aid of skilled experience, to arrive more expeditiously and easily at the small kernel of sense which, after all, does lie hidden in the recesses of the Chinese cranium? Has the result of our process thus far been so encouraging? Have we not too often, after long and laborious boring, been obliged to put the powder in the hole and blow it up? Are we so afraid to encounter intelligence that we would rather continue alternately boring and blowing up the stolid mass of ignorance that opposes us?

For my own part, I think a European of good common sense might be eminently useful to the Chinese, when diplomatic difficulties occur. An examination of our disputes with the Chinese would show that while foreigners have, in the first instance, been frequently to blame, the Chinese, from ignorance of the proper mode of obtaining redress have blundered and retaliated in such a way as to obscure the original cause of dispute, and establish a more serious one in its stead.

I have ventured to discuss at great length abstract questions which appear of much interest apart from the actual point at issue. If my letter is open to the accusation of coming somewhat late for the fray, I must plead the staggering effect of your contemporary's vigorous phraseology. "Tissues of misrepresentations"—"entirely false"—"special constable" &c., are powerful arguments and require some time to appreciate their full force.

Yours truly,
G.

Letter *from Municipal Council to Mr. Consul Winchester, on the Local Government of Shanghai.*

Council Room,
Shanghai 17th October, 1866.

Sir,—I have the honor to acknowledge your letter of the 13th August No. 151, covering a dispatch from Sir Rutherford Alcock, No. 44, Pekin, the 16th July, which deals at length with various propositions regarding the Municipal Government of this Settlement, and concludes with the desire that the Council should communicate to you any opinions it may hold respecting the measures most necessary for the attainment of that object.

The Council desire in return to thank His Excellency for the opportunity thus afforded of once more impressing upon the Ministers of the Treaty Powers, the urgent need that exists for the establishment of a system of administration that shall free this Settlement from the anomalous condition out of which it now labours to produce some effective government; and the warm interest still displayed by Sir Rutherford Alcock in the well being of the community, of which his dispatch in question is additional evidence, leads the Council to hope that under his vigorous and powerful influence, some practical scheme may be finally developed, that shall give the Council the legal status of which the want is so much felt, and without which it is powerless to give effect to the measures and votes of the Land Renters and Residents.

It is a source of much gratification to this Council that the full and complete exposure by their predecessors in office, of the abuses which resulted from the *formal* endorsement by the Treaty Consuls of Chinese Warrants, has led to its discontinuance, yet it is to be desired that H. E. will not stop at any half measures, as, although the arrests now made may want the authority of the Foreign Consuls, yet they continue in unabated force, and are weapons as powerful as ever for innumerable acts of oppression and extortion against the Chinese residing in the Settlement.

The remedy is to be found without doubt in the mediation of the Mixed Court, with whom the sole power to issue warrants for the arrest of Chinese in this Settlement should rest; there the offences with which they are charged can be recorded, and although the restricted powers of that court prevent it fulfilling all the expectations that were at first entertained, yet it could hardly fail to exercise a most salutary check to illegal charges and arrests.

All Warrants issued from it should be served through the Municipal Police, their officers being accompanied if desired by a native official.

Measures such as these seem so imperatively necessary, that the Council hope Sir Rutherford Alcock will press for their speedy adoption, as if successfully carried out, they will clear the way for much that is to follow.

The question of a Charter of Incorporation for the Municipality has been so long agitated and so often discussed, that it is unnecessary to go over the same ground again, the subject having received the attention of the Foreign Ministers, successive Councils, and special Committees, since the year 1862, and although some difference of opinion may exist as to the name by which the required powers shall be granted, there is none whatever as to their urgent necessity, whether they be conveyed under the more high sounding title of a Charter of Incorporation, or simply by a Code of Land Regulations, in every way efficient for the required purposes, and made binding on all residents in the Settlement, whether of Foreign or Native nationalities. The legal status thus conveyed to the Council, and the power of enforcing from all residents of every nationality their fair and equable contribution to the taxes, so necessary for the preservation of the health, peace and good government of the Settlement, will fulfil all requirements.

By the present system many of our sources of taxation exist by the sufferance only of the rate-payers, and the subjects of some nationalities evade them altogether, notwithstanding the admitted benefits which they derive from the Settlement as it is, and of which they never fail to take every advantage.—Thus an unjustly increased burthen is thrown on those who hold higher views, and who are ever ready to contribute to the means and to the support of the Council in its administration of Municipal matters.

The Council do not desire to arrogate to themselves any judicial functions, indeed it is felt that its peculiar constitution, owing to the brief term of office for which Members will serve, even that being very often abruptly curtailed by unforeseen causes—renders it unfit to receive an endowment of Judicial Power, which would in all probability rear up an abuse in every way to be deplored.

The admission of Chinese representatives to the Council Board is an innovation which may be open to some difference of opinion, but it is hardly likely to have other than beneficial results; no small object will be gained if it only promotes greater cordiality between the races, and while giving foreigners the benefit of Chinese opinion on matters of government affecting their own people, they in their turn may be brought to appreciate the free system of representation which prevails in our own countries, and the impartial administration of justice which we so much prize.

Thus also means may be found which will aid the foreign communities in breaking down the system of jealousy and exclusiveness which still exists, to the rejection of many material advantages that would follow a better knowledge of the results of western civilization.

The suggestion first thrown out by Sir F. Bruce in his dispatch of the 8th September, 1862, that it might be desirable to exclude the Chinese from the Settlement, is again mentioned incidentally in Sir Rutherford Alcock's letter, but the impracticability of such a proceeding places it beyond discussion, as it could only be effected by a "reduction of the limits" which would leave the evil itself still untouched; while freed from the control now exercised over it, we should inevitably be still greater sufferers from our close and actual contact with such a pestilential focus, as it would rapidly become.

The possibility of the exclusion of the Chinese from this Settlement being thus dismissed, it is useless *a fortiori* to refer to the questionable measures which originally prompted their admission.

At first indifferent to the evil, it grew and suddenly expanded to dimensions that now defy repression. In self preservation it becomes the bounden duty of the community, and an obligation on the Treaty Powers to grapple with and control the difficulties which have thus been created, and this Council can devise no other remedy than an Imperial Grant in which all the Treaty Powers shall join, and under which there shall be authority given to an elective body, to which all residents of every nationality shall be made amenable.

Sir Frederick Bruce in a dispatch dated 6th August 1863, laid down certain propositions which had grown out of the successive appeals and recommendations of this community, and the principles which governed them having had the approval of the Foreign Representatives at Pekin, they were embodied by them into the following formulas.

1st.—That whatever territorial authority is established "shall be derived from the Imperial Government, through our own Ministers."

2nd.—"That such authority shall not extend beyond simple Municipal matters, roads, police, and taxes for Municipal objects."

3re.—"That the Chinese not actually in Foreign employ shall be wholly under the control of Chinese Officers as much as in the Chinese City."

4th.—"That each Consul shall have the government and control of his own people, as now, the Municipal Authority simply arresting offenders against the public peace, handing them over and prosecuting them before their respective authorities, Chinese and others as the case may be."

5th.—"That there shall be a Chinese element in the Municipal system to whom reference shall be made and assent obtained to any measure affecting the Chinese residents."

The Council desire to suggest that paragraph 3 should be modified to meet the probable association of the Chinese Officers, with the Magistrate of the Mixed Court—and that in paragraph 5 there should be some defined limit to the otherwise all powerful position assigned to the Chinese Representative.—Let there be in fact a Consul for the Chinese, appointed from Pekin, with the same rank and dignity as other Treaty Consuls, whose especial duty shall be the protection of Chinese interests in the Foreign Settlement, and to whose jurisdiction only shall the native residents herein owe submission.

Sir Frederick adds—"I think that if these principles are adhered to an arrangement may be arrived at to which the consent of the Representatives of the different Treaty Powers, and that of the Chinese Authorities may be obtained."

Unfortunately three *years* have elapsed and nothing has been "obtained" or so far as is known here, even attempted; but in the interval, the Land Renters of this place have carefully revised and passed a new Code of Regulations.

The adoption of these and of the Formulas referred to above, will secure all that this Settlement now so urgently needs, and should it become the prerogative of Sir Rutherford Alcock to give effect thereto he will confer a lasting benefit to the best interests of Shanghai.

Such an act will come with singular fitness from His Excellency, who, as the author of the Code of Regulations which governed this Municipality in its earliest infancy, would thus give a final completion to his first labors in behalf of the Settlement, which has long outgrown and far surpassed every anticipation that could then have been entertained.

The Council deem the present a favorable opportunity to urge the essential necessity that exists for the establishment of a *River Police.* The jurisdiction of the Council does not now extend beyond the shore line, and thus the duty in question is vested in the Native Authorities, who leave it altogether undone.—Such a service is a serious want, and the Council have little hesitation in stating that it can only be performed effectively if made a part of the present Municipal system.

Already however the Police Force on shore absorbs so large a portion of the revenue of the Settlement, that it is not likely the tax-payers would be induced to submit to further calls upon them, for the performance of an Imperial obligation.

As a treaty right this community can claim from the Native Authorities, the principle of having law and order maintained in the settlement, but if such an obligation dare not be entrusted to them, there is the greater reason why the expenses attendant upon the present system should fall solely upon the Imperial Funds.

The revenue to meet the present Police charges of the Settlement is contributed as nearly as possible by a Wharfage Dues Rate, levied at a per-centage of one tenth of one per cent on the value of all Exports and Imports.

The machinery at the command of the Council renders this tax difficult of collection except by cumbrous and expensive forms, and although every effort is made to secure its equable working, yet it is impossible to prevent constant evasions of its principles. Notwithstanding also that the tax is apparently so nominal in amount, yet owing to the high value of the principal staples of foreign trade, it lays this portion under a heavy total of contributions, while another equally large and better able to afford a higher tax, escapes with a lower one, and for a lump sum of dollars 14,000 (fourteen thousand) per annum, the Taotai claims to exempt the whole of the trade carried on by Natives within the limits of the Foreign Settlement.

This payment of $ 14,000 is the sole contribution from the Imperial Authorities towards a total of taxation on this community amounting to over Taels 200,000, per annum, of which Taels 70 or 80,000 are expended under the head of Police; and considering the elements of wealth which this Settlement, and the enormous trade carried on here, bring to the Imperial Treasury, it is felt that the time has arrived to agitate for a contribution from the Custom's revenues collected here, which shall meet the necessary Police expenses.

This contribution will be bounded as nearly as can be estimated, by a charge on the value of all Imports and Exports, of a tenth of one per cent, and it will be sufficient to include a River Service.

There will be no expence in its collection, it can be exactly ascertained, and while it will effect a great saving to the Council, it will remove all the objections to be found in the vexatious unequal tax now levied.

The present proposition is a Treaty right which has been allowed to be dormant, but as the payment of Tonnage Dues is admitted to convey with it an obligation to maintain all the expences attendant on the navigation of the River, so must the payment of Customs Dues carry with it even more forcible obligations to contribute largely to the preservation of safety and order, without which such trade cannot exist, and could never have attained its vast extent.

I have the honor to be,
Sir,
Your Obedient Servant,
A. J. HOW,
Chairman.

C. A. Winchester, Esquire,
H. B. M. Consul.

THE SUPREME COURT.

November 26th.

Before Sir E. Hornby.

Messrs. Chapman, King & Co.'s Compradore *v.* J. A. Knox.

To the Court.—I am Messrs. Chapman, King & Co.'s compradore. On the 2nd November, Knox, a partner in Messrs. Hawes, came to my room and told me he had to get a charter for one of Messrs. Chapman, King and Co.'s steamers. He asked to go out and get a charter, and said he would pay me a commission. I went out and got a charter. A Chinaman was the charterer. Knox offered me one half of what he himself was to get as commission. I said I only wanted one-third. The charter was concluded. Messrs. Chapman, King and Co. gave Knox a commission. It was in the form of a compradore's order. It was on me, as their compradore. It was presented to me and I refused to pay it, unless I might deduct the one-third that was due to me. I insisted upon getting my one-third. Knox took out a summons against Messrs. Chapman, King and Co. in consequence of the order not being paid. The amount of the order was then paid to Messrs. Hawes and Co. I claim one-third of that amount.

The Court here adjourned the case until the following day, that Mr. Knox, who had not yet been summoned, might have an opportunity of attending to give his evidence.

November 27th.

J. A. Knox.—I was broker for the charterer of the *Fusi-Yama.* I saw Captain Dundas, and received a letter from him on the 2nd November. I now produce this letter. It states, that Messrs. Chapman, King and Co. would agree to a charter for $19,200; but wished to see Messrs. Hawes respecting the securities of the charterer. I got the names of the securities from the charterer, and as usual gave them to Messrs. Chapman, King and Co.'s compradore (the plaintiff) in order that he might ascertain on Messrs. Chapman, King and Co's behalf, whether they were good or not. I promised to *give a cumshaw to Messrs. Chapman, King and* Co.'s compradore if he did the business of his masters (Messrs. Chapman, King and Co.) quickly. I found the charterer. This compradore did not. All he had to do was to see that the securities offered by the charterer were good. Messrs. Chapman, King & Co. refused to pay more than one and a half per cent.

Plaintiff re-called.—I concluded the bargain and arranged the price between the charterer and Messrs. Chapman, King & Co. I went to see if the securities were good. I expect one-third commission. Mr. Knox has promised me this.

The Chief Judge.—How comes it that you being Messrs. Chapman, King & Co.'s compradore, and as such compradore, it being your duty to ascertain whether the securities offered by the charterer be good or not, that you, I say, now ask payment from the brokers? what right have you to expect payment from them for doing business as your master's servant?

Plaintiff.—It is part of my pidgin and it is usual in such cases for me to be paid. If I conclude a charter, Messrs. Chapman, King & Co. pay me a commission. If I go to see whether the securities offered are good I expect commission from them besides.

The Court.—In examining the securities you were only doing your business to Messrs. Chapman, King & Co. as their compradore. You have no right to receive payment from a third person for doing your masters' business. It is a duty you owe your masters to look into the securities closely, and if you accept money from the persons who give those securities, how can you discharge that duty fairly by your masters? Such acceptance of money must undermine the impartiality and strictness with which you should watch your masters' interests. It is a reward in fact to you for not doing your duty by your masters. It is a premium upon fraud. The verdict will be for the defendant.

November 29th.

In Admiralty.

Attril *v.* Lewis.

Mr. Rennie appeared for the plaintiff, and Mr. Eames for the defendant, Captain Lewis, of the *Trebolgan.*

Mr. Rennie.—The plaintiff Attril was engaged as a rigger to execute certain repairs for the ship *Trebolgan,* and generally to put her in a seaworthy condition. Neither the owners or the part-owners are within the jurisdiction of this Court, and so the plaintiff prays that the *Trebolgan* be sold, and that, out of the proceeds arising from such sale, he be paid $670, being at the rate of $5 a day for four months and sixteen days, the time he was at work upon the ship.

Henry Attril.—I am a rigger. I was engaged to work on board the *Trebolgan* about the 26th April. Captain Lewis engaged me. I remained on board four months and thirty-six days. I was putting up new spars and new rigging. I never signed the ship's articles. The work I did when on board the *Trebolgan* was the same as that on which I am now engaged. I am now in the employ of Captain Williams as a rigger. Captain Williams is a master rigger. I got $5 a day and am found. Providing Captain Lewis and myself suited each other, and I was willing to do so when the ship left port, I was to go as second mate. I was not engaged as a boatswain. I was on board the *Trebolgan* for four months and thirty-six days. I forget the number of odd days. I was at work the whole of that time. I have applied to Captain Lewis for payment. He said he would pay me at the Consulate. When I saw him at the Consulate he told me he had not time to talk. I have not received any money from him.

To Mr. Eames—I was engaged by Captain Lewis at dock. I heard he wanted a mast put in the ship, and the rigging put in repair. I forget who told me. Mr. Bowen told me that Captain Lewis wanted a second mate and a boatswain. I went on board to put the rigging in a seaworthy condition. I had charge of the rigging. I directed the work that was to be done to it. The ship wanted one new mast and rigging. This work would not take four months to complete. I was at work on the rigging three months. I do not know why Captain Lewis should keep me a month or so after I had completed this work, there was no understanding I was to be boatswain until it was ascertained whether we would suit one another. My agreement was that I should put the ship in order. No second mate was on board. There was a second mate on board some time. Neither he nor the first mate took any directions from me. I took my orders from them. It is a boatswain's duty to take orders from the mates. I have been at sea twenty-three years. I was a boatswain part of that time. I know what a boatswain's duty is. I did duty as a boatswain on board that ship. I never told any one I was boatswain of the ship.

Edward Williams—I am a master rigger. The witness who has just left the box is in my employ as a rigger at $5 a day. He understands his business. I would charge $5 a day for a foreman rigger I sent on board a ship. I would charge that for Attril.

To Mr. Eames—I have been a rigger for some time. It depends upon circumstances how long it would take to put up a mast and rigging. If the rope was all ready and handy, and there were twenty men engaged on it, the work would take three weeks. It depends on circumstances whether it would take four months. If you have everything at hand, one month would be time enough to do it in. If a new lowermast only had to be put up with the old rigging it would take about as long. Perhaps six days less. Putting the rigging over the masthead takes the time.

This closed the case for the petitioner.

Mr. Eames.—The case seems to me to admit of but little doubt. It is customary for men and officers to go on board a ship in port and work on it, in a certain capacity, without having signed any articles or even having entered into a written agreement. When the ship is leaving port all, about the same time, sign the articles and continue to work in their previous capacity. When things were at their worst here it was not unusual for men to work on a ship while she was in port for their find only, and when she left they were regularly shipped. Some of these men might have come forward and claimed riggers' pay just as this man does, if the absence of a written agreement were allowed to tell in their favour. The plaintiff's own evidence favours strongly the view that he was merely a boatswain. If Captain Lewis had engaged him as a rigger, it is not likely that he would retain him on board during four months at such high wages as a rigger gets, when one month was sufficient to complete all such work as a rigger would be required to do. I may say I do not think the proceeding *in rem* was the correct mode; but as the ship was unlikely to leave the port when the claim at issue was first made, I did not raise the question. To enforce the sale of the ship, the plaintiff should sue in the capacity of a seaman, or as having a lien on the ship. But he sues as a day labourer, and so has no lien on the ship. The chief officer of the *Trebolgan* is, I regret to say, sick in hospital, so we cannot avail ourselves of his testimony. But I shall show, on the evidence of Captain Lewis and of the second officer, that Attril was known and addressed while on board as boatswain. The evidence of the shipping-master will show that he was engaged as boatswain.

Captain Lewis.—I first saw Attril at dock. My ship's foremast was out. He asked for a situation. He had a wife and family at Cowes. He applied for the berth of boatswain or second mate. I could not take him as second mate because he had no certificates or references of any kind of offer. I said I would take him as boatswain on trial and if we suited each other he was to go to England as boatswain in my ship. He was to do general duty under the mate. He was always addressed by me as boatswain and by the second mate too as boatswain. He came to me as Robinson. I only knew him as Attril when he sent in his demand for $670. The repairs to the ship were finished in a month. My chief mate is sick in hospital. The plaintiff introduced himself to me as Robinson. He has a brother here whose name is Robinson. Of course if his brother's name is Robinson his must be so too. This is a discrepancy I can't reconcile. He left the ship in consequence of a letter he got from home that induced him to remain out here.

To Mr. Rennie.—I knew nothing of the plaintiff until I saw him at dock. I did engage him as boatswain without knowing anything of him previously, we are frequently obliged to do this. It is part of the boatswain's duty to look after the rigging under the mate's orders. I could have done without the plaintiff. I had not applied to any one to come and work on my ship. There was no agreement between the plaintiff and myself excepting about wages. The agreement was a verbal one. He was to get wages at the same rate in port as at sea. He came on board without signing any agreement.

To the Court.—He never came to me for money. I told him I would pay him at the Consulate. Mr. Markham told me not to pay him more for his work in port than I would pay him at sea. Mr. Markham added that if he would not take this I should let him sue me. He has never asked for any other rate of wages than $5 a day.

E. Bowen.—I am a shipping clerk at the sailors' home. I was applied to by Captain Lewis of the *Trebolgan* to get men for him. Captain Lewis asked me to get him a boatswain. I sent him a man who called himself Robinson. I see him in Court. That is the man (pointing him out). He was some little while back in the witness box. The Captain did not ask me for riggers. Robinson, as I understood him to be, did not call himself a rigger to me. I have been a clerk in the shipping-master's office three years. Men used constantly to go on board without signing any agreement. Their wages would vary from £4 to £4 10s.

To the Court.—Men do not so frequently now go on board without signing. The reason is that there are now greater facilities for signing. The captain of a ship is not bound to put a man on articles until he is leaving port. The wages of a man without an agreement while in port would depend upon the capacity he was going to sea in. I do not know what passed between Captain Lewis and Attril.

William Fox—I am chief officer of the *Eunice Nicholson.* I was second officer on board the *Trebolgan.* I left the *Trebolgan* to take this place. The Captain paid me my wages duly. I know Robinson. That is he. He was ten days on board with me. I asked him what he was. He told me boatswain. It is part of my duty to find out what the men are. I always addressed him as boatswain. With our crew of twenty men it is absurd to suppose we should want a rigger. I did not understand he came on board as such. We had as good men on board as he. I have been twenty years at sea. I know a boatswain's duty. He performed only boatswain's duty, as far as I know. The lowermast and foretopgallant yard were up before I left.

Mr. Eames—I think the Court will consider that it has been satisfactorily made out that the plaintiff went on board as boatswain and that when the ship's articles were opened he would have signed himself such. It is a constant practice for officers to go on board some days before a ship leaves, in the capacity in which they are to serve at sea. If they did not do so they would be perfectly abroad at the time when their services were most required when the ship is starting. They sign articles when the ship leaves port and are remunerated for their services during the time the ship is in port at the same rate as when at sea. I would submit that the plaintiff is only entitled to boatswain's wages. The verbal agreement made between the Captain and himself holds, as there is no statute to render it invalid.

Mr. Rennie.—I allow that Attril went on board in a certain capacity. It is the nature of that capacity, I invite the Court to decide upon. It is scarcely likely he would go on board for £4 a month when here on shore he was getting $5 a day. My learned friend contends we are not justified in arresting the ship. I would point to 26 and 27 Vict. c. 24 s. 10 in justification of our course. That portion of the Act declares that to ensure disbursements on the ship's account—to enforce payment of claims for equipping, repairing etc., such a course is allowable.

The Chief Judge.—This ship is sued under the Act. The plaintiff cannot recover as a sailor, though he may as a day labourer. I do not think it competent for Captains of ships to say men are sailors unless they can prove them to be so in the sense of Acts of Parliament. As I wish to arrive at the practice of the port in cases where such a course has been adopted as in this instance, I will, if no objection is raised, take the evidence of Mr. Tapp.

W. H. Tapp.—I am shipping clerk. I have been so three years. If a man serves on board a vessel in port without signing articles he is not looked upon as a sailor. A man so shipped would not be entitled to recover under the Mercantile Shipping Act or any of its provisions as a sailor. His position would depend solely on such arrangement as he might make with the Captain. The nautical term for him is a Lump. He is so called because he gets more than the ordinary wages. The ordinary wages would be $1 and food and lodging for a sailor. If he could do rigging or were put in charge of a gang of coolies he would get $1½ or $2 a day. If he were up to a boatswain's work he might get this. According to the rules of this port he ought to sign articles whether he leaves the port or not. A man may serve on board according to arrangement. Prior to signing of articles, his wages would depend on the arrangement he had made with the Captain.

To Mr Eames.—A man who remained on board two or three months and worked without having signed articles claimed $3 a day. The claim was disallowed. I have known of cases where seamen and officers remained on board some time—two or three months—before signing articles. They were always paid according to private arrangement,

The Chief Judge.—The evidence before me shows the plaintiff is only entitled as a day labourer according to merit. The only question in my mind is whether he should receive pay as a boatswain or as a lumper. He is not entitled to be paid as a rigger, clearly. The Captain's statement, which is directly opposed to Attril's, declares that the plaintiff was to receive in port the same wages as if at sea. But there was no agreement to this effect. There was only an understanding about this, it seems.

To Captain Lewis.—How do you make out what you say Attril is entitled to viz. £17.14.8?

Captain Lewis.—By calculation at the rate of £4 a month. I treated him very well and he dined at my own table.

The Chief Judge resumed.—I am not at all satisfied about this £4 a month. The declaration you, Captain Lewis, have just made, would induce me to think you looked upon him as something better than a mere ordinary boatswain. A dollar a day is small pay for a man in Shanghai. On the other hand I am not at all satisfied about the $5 a day. Where there is no written agreement I must decide on the *quantum meruit* principle. I shall give $1½ a day and I shall allow £5 for costs. Seafaring men desirous of entering into agreements should go to the Consulate and there enter into them regularly.

BANKRUPTCY COURT.

November 28.

Before C. W. Goodwin Esq.,

Re Messrs Jarvie, Thorburn & Co., bankrupts.

Mr. Myburgh appeared for the creditor's assignees.

Mr. Rennie appeared for Messrs. Ashton & Co., one of the claimants, and put in a statement of accounts.

Mr. Myburgh—I objected on behalf of the creditor's assignees to the claim of Messrs. Ashton & Co., being admitted, in the expectation that I might bar it on the score of double proof. I find however on investigation that the cases do not bear out this expectation. But I consider it my duty to get an opinion from the Court as to the nature of the relations subsisting between Messrs. Jarvie, Thorburn & Co., and Messrs. Buchanan, Hamilton & Co. I would ask the Court to consider whether Messrs. Jarvie, Thorburn & Co., are responsible to Messrs. Ashton & Co., for more than any sum that may be due by them to Messrs. Buchanan, Hamilton & Co. I would also submit to the consideration of the Court that Messrs. Jarvie, Thorburn & Co., were merely agents of Messrs. Buchanan, Hamilton & Co., and that, in fact, if they had failed to carry out any engagements entered into by Messrs Buchanan, Hamilton & Co., with Messrs. Ashton & Co., Messrs. Ashton & Co., would have had a remedy only against Messrs. Buchanan & Co., who, in their turn, might have proceeded against Messrs. Jarvie, Thorburn & Co.

Mr. Rennie.—Messrs. Jarvie, Thorburn & Co. as principals dealt with Messrs. Ashton & Co., and were regarded in that light by Messrs. Ashton & Co. There is a deed of partnership that I can put in executed between Messrs. Buchanan, Hamilton & Co., and the partners in Messrs. Jarvie, Thorburn & Co. at the time of its execution. Messrs. Buchanan, Hamilton & Co., were partners of Messrs. Jarvie, Thorburn & Co., though the latter mentioned firm were not partners of Messrs. Buchanan & Co.

The Court ruled that Messrs. Buchanan Hamilton & Co., were partners in Messrs. Jarvie, Thorburn & Co., and so allowed the claim—about £13,000—against Messrs. Jarvie, Thorburn & Co's. estate.

Messrs. Maitland & Co. now put in a claim through Mr. Reid, who, in answer to Mr. Myburgh, said he was not certain that Messrs. Maitland & Co., had not proved for this amount against Messrs. Fletcher & Co., who have a joint account with the bankrupts.

Mr. Myburgh.—It must be ascertained whether this amount has been proved for against Messrs. Fletcher & Co. If it has, Messrs. Maitland & Co., cannot now prove against Messrs. Jarvie, Thorburn & Co. If they were allowed to do so, Messrs. Jarvie, Thorburn & Co., would be liable twice for the same debt. Messrs. Maitland & Co., assuming that they have not proved already against Messrs. Fletcher & Co., are at liberty to elect against whom they will prove for their debt, or they may prove for half of it against Messrs. Jarvie Thorburn & Co. and for the other half against Messrs. Fletcher & Co. Certainly they cannot prove for the whole against both the firms.

Mr. Reid.—Before then I can move farther in the matter I must ascertain whether Messrs. Fletcher & Co. have been proved against; and if not, against whom my principals elect to prove and how.

Mr. Myburgh.—You had better give notice that we reserve a proportionate fund pending the arrival of your instructions.

Mr. Myburgh now moved for an adjournment to admit of the accounts being made up.

The Court adjourned the case until the 13th January.

SUMMARY JURISDICTION COURT.

November 27th 1866.

Before C. W. Goodwin, Esq.

Lawrance *v.* Fergusson.

This was an undefended action brought by Mr. Lawrance against Mr. Fergusson for the recovery of Tls. 268 on a promissory note given two years ago.

The Usher of the Court proved having duly served Mr. Fergusson with notice of the case.

Mr. Lawrance sworn—Mr. Fergusson gave me this promissory note. It is dated the 17th October 1864, and is made payable two months after date. I have applied several times to Mr. Fergusson for payment of this note, I have applied to him for payment of it since the races. I have not been paid it or any portion of it. It is not for professional services. I am averse to sueing for payment for professional services. The debt was incurred in this way. In October 1864 Mr. Fergusson was suffering from dysentery. He was also in pecuniary difficulties, and there was an execution in his house. He was liable to be taken, ill as he was, to prison. He applied to me as an acquaintance to aid him. I did so and received this promissory in acknowledgement of the aid I rendered him. I ask for a judgement in my favour to the extent of the value stated on the note, interest upon it, and costs.

The Court decreed payment of the note in eight days with interest thereupon at the rate of ten per cent per annum and costs.

MIXED COURT.

November 30th.

Before H. E. The Taotai.
" The U. S. Consul-General.
" H. B. M. Consul.

A Mexican, named Francisco Hernandez, was charged with shooting a Manila man named Serapeo, who had however, since gone to Japan. Several witnesses had also disappeared since the occurrence.

Hu-sing.—I have seen the prisoner several times. I recollect his firing a pistol at Serapeo. It was less than a month ago, in an alley in Hong-que. A foreigner was going out of the

(*See Supplement.*)

[*Edited by* R. S. Gundry. *Printed and Published every Saturday, at the North-China Herald Office, Shanghai.*]

SHANGHAI TEA, SILK, COTTON, AND OPIUM RETURNS FOR SEASON COMMENCING JUNE 1, 1866

From Imperial Maritime Customs.

TEA.

GREAT BRITAIN.

SHIP.	Cleared.	Destination.	Congou.	Souchong.	Dust.	Flowery Pekoe.	Brick.	Total Black.	Japan Unclassed.	Sorts.	Young Hyson.	Hyson.	Hyson Skin.	Twankay.	Imperial.	Gun Powder.	Total Green.
Total as per last Report ...			211,752.53	...	9,563.54	...	316.16	211,632.23	2,398.57	550.51	17,263.73	2,960.26	28.51	1,763.23	6,661.87	14,023.64	45,644.32
Cissy	November 30	London	4,641.17	...	...	...	...	4,641.17	...	...	540.40	243.50	...	54.93	177.65	455.26	1,471.74
			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
		Total	216,393.70	...	9,563.54	...	316.16	216,273.40	2,398.57	550.51	17,804.13	3,203.76	28.51	1,818.16	6,839.52	14,478.90	47,116.06

COAST PORTS.

SHIP.	Cleared.	Destination.	Congou.	Souchong.	Oolung.	Flowery Pekoe.	Brick.	Total Black.	Japan Unclassed.	Sorts.	Young Hyson.	Hyson.	Hyson Skin.	Twankay.	Imperial.	Gun-powder.	Total Green.
Total as per last Report ...			11,211.67	...	...	...	3,736.54	14,947.91	...	...	...	606.55	...	...	...	70.04	676.59
Ganges	November 23	Hongkong	...	...	...	...	...	...	...	...	...	45.52	...	...	...	...	45.52
Aden	„ 23	„	...	...	...	...	...	...	...	...	...	13.31	...	...	...	...	13.31
			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
		Total	11,211.67	...	...	...	3,736.54	14,947.91	...	...	...	665.38	...	...	...	70.04	735.42

SILK.

GREAT BRITAIN.

SHIP.	Cleared.	Destination.	Raw.		Thrown.		Total.		JAPAN. Re-exports & Transhipments.				Coarse.		Refuse.		Cocoons.	
			Bales	Piculs	Bales	Piculs	Bales	Piculs	Bales	Piculs	Bales	Piculs	Bales	Piculs	Bales	Piculs	Bales	Piculs
Total as per last Report			6464	4912.45	...	...	8502	5195.35	...	105	...	...	1271	1491.76	76	100.64	...	...
Cissy	November 29	London	...	...	...	...	...	...	...	...	...	...	...	...	12	16.78	...	...
Camilla	„ 29	„	...	...	...	...	...	...	...	...	...	...	...	...	5	11.65	...	...
Dupleix	„ 30		1811	1446.63	23	24.94	...	...	...	...	173	...	...	...	46	58.00	...	...
			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
		Total	8275	6359.08	23	24.94	8502	5195.35	...	105	173	...	1271	1491.76	139	187.07	...	...

AMERICA.

SHIP.	Cleared.	Destination.	Raw.		Thrown.		Total.		JAPAN. Re-exports.		JAPAN. Transhipment		Coarse.		Refuse.		Cocoons.	
			Bales	Piculs	Bales	Piculs	Bales	Piculs	Bales	Piculs	Bales	Piculs	Bales	Piculs	Bales	Piculs	Bales	Picu
Total as per last Report			678	518.63	...	...	678	518.63	...	...	...	...	...	...	141	...	...	...
			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
			..	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
		Total	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

COTTON.

SHIP.	Cleared.	GREAT BRITAIN. Export.	GREAT BRITAIN. Re-export.	GREAT BRITAIN. Tran-shipped.	HONGKONG. Export.	HONGKONG. Re-export.	HONGKONG. Tran-shipped.	COAST PORTS. Export.	COAST PORTS. Re-export.	COAST PORTS. Tran-shipped.	JAPAN. Export.	JAPAN. Re-export.	JAPAN. Tran-shipped.	AMERICA. Export.	AMERICA. Re-export.	AMERICA. Tran-shipped.	TOTAL Piculs.
Total as per last Report		1982.60	...	...	822.66	2330.84	342.00	7005.20	2804.80	...	...	...	...	...	...	...	14,719.26
Oriflamme	November 23	...	...	...	580.50	...	...	...	...	...	...	...	...	...	...	...	...
Poyang	„ 27	...	...	...	421.90	...	...	...	...	...	...	...	...	...	...	...	...
E. W. Seyburn	„ 27	...	...	...	...	...	...	...	...	74.75	...	...	...	...	...	...	...
Fruzel	„ 27	...	...	...	...	...	...	176.00	...	...	...	...	...	...	...	...	...
Marion	„ 27	...	...	...	...	...	...	121.40	...	...	...	...	...	...	...	...	...
		...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
		...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total		1982.60	...	...	1825.06	2330.84	342.00	7812.60	2804.80	74.75	...	...	...	...	...	...	14,719.26

OPIUM.

OPIUM RETURN FOR WEEK ENDING 24TH NOVEMBER, 1866.

IMPORTED.

	MALWA. Chests.	MALWA. Weight.	PATNA. Chests.	PATNA. Weight.	BENARES. Chests.	BENARES. Weight.	PERSIAN. Chests.	PERSIAN. Weight.
Imported and stored on board Receiving Vessels	504	504.00	322	386.40	30	36.00	...	...
Imported and transhipped for re-exportation without being stored on board Receiving Vessels or landed	9½	9.50	...	...	...	...	...	...
Imported direct to the shore	2	2.00	...	...	...	...	...	...
Total	515½	515.50	322	386.40	30	36.00	...	...
Landed from Receiving Vessels and intended chiefly for Local consumption	22½	22.50	168	201.42	24	28.80	...	...

RE-EXPORTED.

DESCRIPTION.	Chinkiang. Chests.	Chinkiang. Weight.	Kiukiang. Chests.	Kiukiang. Weight.	Hankow. Chests.	Hankow. Weight.	Chefoo. Chests.	Chefoo. Weight.	Tientsin. Chests.	Tientsin. Weight.	Newchwang. Chests.	Newchwang. Weight.	Ningpo. Chests.	Ningpo. Weight.	Foochow. Chests.	Foochow. Weight.	Hongkong. Chests.	Hongkong. Weight.	Takao. Chests.	Takao. Weight.	Total. Chests.	Total. Weight.
Malwa	67	67.00	50	50.00	55	55.00	48½	48.50	426½	426.50	...	...	94½	94.50	...	...	...	...	...	...	741½	741.50
Patna	5	6.00	...	...	6	7.20	...	...	34	40.80	...	...	8	9.60	...	...	...	...	...	...	53	63.60
Benares	...	...	...	...	...	...	...	...	12	14.40	...	...	5	6.00	...	...	...	...	...	...	17	20.40
Persian	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Turkey	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total	72	73.00	50	50.00	61	62.20	48	48.50	472½	481.70	...	...	107½	110.10	...	...	...	...	...	...	811½	825.50

FOOCHOW TEA RETURN.

EXPORT OF TEA FROM FOOCHOW TO FOREIGN PORTS, SEASON 1866-67,—(CONTINUED.)

VESSEL'S NAME.	Destination.	Date of Clearance.	Congou.	Souchong.	Oolung.	Flowery Pekoe.	S. O. Pekoe.	S. Caper.	Mixed.	Total Black.	Total Green.
Total as per last Report			286,112.60	15,291.40	17,840.22	1,202.66	15,151.17	1,086.07	201.19	330,885.31	2,024.80
John C. Munro	London	November 15	6,394.61	67.55	...	...	...	...	...	6,462.16	...
Total			292,507.21	15,358.95	17,840.22	1,202.66	15,151.17	1,086.07	201.19	343,347.47	2,024.80